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### BEFORE THE

### FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C.

In the Matter of

(Albion, Honeoye Falls, and

South Bristol Township, New York)

)

MAR 23 1998

FEDERAL COMMUNICATIONS COMMU

### COMMENTS OF CITICASTERS CO.

Marissa G. Repp F. William LeBeau HOGAN & HARTSON L.L.P. 555 13th Street, N.W. Washington, DC 20004

Attorneys for Citicasters Co.

Dated: March 23, 1998

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#### **SUMMARY**

Section 307(b) of the Communications Act directs the Commission to seek a "fair, efficient and equitable distribution of radio service." According to Commission precedent, a proposed reallotment satisfies this statutory directive when it better reflects the populations of and broadcast services available to an area and its communities.

In the *Notice*, the Commission considered the reallotment of channels of radio stations (and the modification of relevant licenses and permits) assigned to three communities in western New York (the "Proposal or "Proposed Reallotment"). The Proposal, in addition to assigning a higher class channel to Honeoye Falls, a community significantly larger than the community to which that channel is currently assigned, would increase the total number of persons served, with no unserved or underserved areas being created. Moreover, Honeoye Falls is a distinct, physically separate community from Rochester. According to Commission policy and precedent, the Proposed Reallotment would offer a fairer and better use of scarce radio spectrum and should be adopted.

### BEFORE THE

# FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C.

In the Matter of	)	
	)	
Amendment of Section 73.202(b),	)	MM Docket No. 98-8
Table of Allotments,	)	RM-9178
FM Broadcast Stations.	)	
(Albion, Honeoye Falls, and	)	
South Bristol Township, New York)	)	

### COMMENTS OF CITICASTERS CO.

Citicasters Co. ("Citicasters"), by its attorneys and pursuant to Section 1.415 of the Commission's Rules, hereby submits these Comments 1/ in support of the proposal addressed by the Commission's Notice of Proposed Rule Making, DA 97-98-135 (released Jan. 30, 1998), in the above-captioned proceeding ("Notice"). In the Notice, the Commission considered the reallotment of channels of radio stations (and the modification of relevant licenses and permits) assigned to three communities in western New York, pursuant to Section 1.420(i) of the Commission's Rules, as follows:

<sup>1/</sup> Citicasters also incorporates, by reference, its prior pleadings in this matter, notably the Petition for Rule Making and the Technical Exhibit in support of that Petition ("Technical Exhibit").

Community of License	Present Channel	Proposed Channel
Albion, New York	238A	271A
Honeoye Falls, New York	297A	236B
South Bristol Township, New York	236B	297A

The Notice explained that the above proposal (the "Proposal" or the "Proposed Reallotment") "would result in a service population gain of 287,906 persons" with a loss of service to fewer than 80,000 persons, for a net increase of 208,565 persons served by WRCD(FM) and WNVE(FM). 2/ As stated in the Notice, "no unserved or underserved areas will be created within the loss area." Id. In addition, the Proposal would ensure that all the involved communities would retain a local transmission service. See id. at § 5. Accordingly, Citicasters urges that the Commission adopt the Proposal in order to maximize the number of persons and communities able to enjoy the use of scarce radio spectrum.

# I. THE PROPOSED REALLOTMENT ENSURES MORE EQUITABLE AND MORE EFFICIENT BROADCAST SERVICE TO THE COMMUNITIES OF AND NEAR HONEOYE FALLS, SOUTH BRISTOL TOWNSHIP AND ALBION.

Section 307(b) of the Communications Act directs the Commission to seek a "fair, efficient and equitable distribution of radio service." According to

<sup>2/</sup> Notice at ¶ 4. In March 1998, the Commission approved a request to change the call sign of WRCD(FM) to WMAX-FM. For the sake of clarity, however, the station currently assigned to Honeoye Falls will be referred to throughout as WRCD.

precedent, a proposed reallotment satisfies this statutory directive when it better reflects the populations of and broadcast services available to an area and its communities. See Report and Order, Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Parker and Port St. Joe), 11 FCC Rcd 1095 at ¶ 4 (Allocations Branch 1996) ("Parker & Port St. Joe Order"). By assigning a higher class channel to the larger community, which would enable an increase in the total number of persons served, the Proposed Reallotment would offer a fairer and better use of scarce radio spectrum. See generally Report and Order, Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Coleman, Sebewaing and Tuscola, Michigan), 11 FCC Rcd 11286 at ¶ 5 (Allocations Branch 1996) ("Coleman Order")(noting that substitution of channel of existing station is appropriate if it would create "new or expanded service at another community").

A. The Assignment of Channel 236B to Honeoye Falls Is a More Equitable Distribution of FM Allotments than the Current Arrangement.

The Proposal satisfies a critical test of any reallotment plan: it maintains a local transmission service in each of the communities -- Albion, Honeoye Falls, and South Bristol Township (the "Communities") -- involved in the reallotment. Moreover, the Proposal does not deprive any listener of his or her first or second aural broadcast service: any listener in WNVE's or WRCD's existing

service areas still would have access to at least four radio stations, and nearly all would have access to five or more. 3/

In addition, the Proposal is a more equitable distribution than the existing table because it affords the larger of the Communities currently served by radio stations -- Honeoye Falls -- the stronger signal. As noted, Section 307(b) mandates that the Commission assign, where possible, radio service befitting the population of the community or communities to be served by a particular allotment. See Parker & Port St. Joe Order at ¶ 4. Designating the Class B channel to Honeoye Falls better reflects that Honeoye Falls has a population more than 40 percent larger than South Bristol Township. Compare U.S. Census, 1990 Census of Population and Housing, New York, at 50 & 62 (1993)("1990 Census")(excerpt attached as Exhibit 1).

In addition to being the more populated community in absolute terms, Honeoye Falls is also far more densely populated than South Bristol. According to the 1990 Census, 900 persons live in each square mile of Honeoye Falls. In contrast, only a scant 42.5 persons inhabit each square mile of South Bristol Township. See Exhibit 1. The comparative density of the two communities

According to the Technical Exhibit submitted in support of the initial Petition, more than 96.6 percent of persons facing any loss of service under the Proposal would be able to receive five or more radio signals even after the Proposal was implemented. The Commission precedent has noted that the loss of a single existing service to well-served populations should not obstruct a proposal that would result in a net gain of over 200,000 persons. See, e.g., Coleman Order at ¶ 5.

underscores that Honeoye Falls is a more cohesive community and, consequently, a more suitable site for a higher class signal.

Nor does Honeoye Falls' comparative proximity to Rochester, New York, make it less deserving of a local transmission service commensurate with its size and the role it plays in its own immediate area. Honeoye Falls is a community independent of Rochester. Geographically, Honeoye Falls is located outside of the Rochester Urbanized Area 4/ and approximately 13 miles south of Rochester. It lies several miles beyond the circle of interstate highways that surround the outskirts of that city. It is separated from the urban development of Rochester by, among other obstacles, Interstate 90 and rural countryside. It is also further from Rochester than two other communities that have broadcasting outlets -- Irondequoit, New York, and Brighton, New York, the latter of which lies between Honeoye Falls and Rochester proper.

In addition to its physical separation from Rochester, Honeoye Falls displays many hallmarks of an independent community. With regard to issues arising under Section 307(b) of the Act, the Commission has described what indicia suggest a separate community, including those that -- unlike Honeoye Falls -- are technically located in an Urbanized Area. Memorandum Opinion & Order, Faye & Richard Tuck, Inc., 3 FCC Rcd 5374, 5376-77 (¶¶ 22-23) (1988); see also Parker & Port St. Joe R&O at ¶ 7 (inquiring as to whether suburb was "so integrally related"

<sup>4/</sup> See 1990 Census at 103, G-29 (not including Honeoye Falls under Rochester Urbanized Area listing or as a shaded area on the map of the Area) (excerpt attached as Exhibit 2).

with the central city area as to be credited with all transmission services of that area). A showing that a community is independent is typically a prerequisite to obtaining a first local transmission preference for that community as part of a particular allotment proposal. 5/ In this case, however, all of the Communities already have allotments. This fact alone indicates that Honeoye Falls should be deemed a community independent of Rochester.

Even if the Proposal were viewed as a request for a first local transmission service to Honeoye Falls, the overall independence of Honeoye Falls confirms that the Proposed Reallotment appropriately provides the stronger signal to a separate, more substantial community. Commission precedent focuses on eight factors for assessing the independence and importance of a community:

- the extent to which community residents work in a nearby central city;
- whether the community has its own newspaper or other local media;
- whether the community leaders and residents perceive the specified community as being separate from the larger metropolitan area;
- whether the community has its own local government and elected officials;
- whether the community has its own telephone book or zip code;

<sup>5/</sup> Cf. Huntington Broadcasting Co. v. FCC, 192 F.2d 33 (1951). In such cases, the Commission must consider whether the Huntington Doctrine -- an exception to the general effort to allot each community its own broadcast service -- justifies denying a community its own broadcast service because the community at issue is merely an appendage of a nearby metropolis. Although the Huntington Doctrine does not apply in this case, precedent related to that exception underscores the independence of Honeoye Falls.

- whether the community has its own commercial establishments, health facilities, and transportation systems;
- the extent to which the specified community and the central city are part of the same advertising market; and
- the extent to which the specified community relies on the larger metropolitan area for various municipal services such as police, fire protection, schools, and libraries.

As measured by these factors, Honeoye Falls merits a more powerful broadcast service than the sparsely populated South Bristol Township, as it not only is a more populous and more densely populated community than South Bristol Township, but also is a community distinct from Rochester.

Founded in 1791, Honeoye Falls has been an incorporated village since 1838. It has its own government, including an elected mayor and four elected Trustees, distinct from the governance of Mendon (the larger area in which Honeoye Falls is located). It also maintains its own zoning board, a planning board, a board of ethics, a conservation board, and other offices. Honeoye Falls' residents contribute to the region's governance as well as that of the community, and one heads the Honeoye Falls/Mendon Recreation Commission. Honeoye Falls also lends its name to the area's wastewater treatment plan, and has its own five-digit zip code -- 14472 -- for all Honeoye Falls' addresses.

Although Honeoye Falls' police service is provided by the county in which it is located, the community's fire department "is one of the best equipped in the State." See Honeoye Falls Pamphlet (attached as Exhibit 3). Moreover, Honeoye Falls, together with the nearby community of Lima, operates its own

schools, with a total enrollment of 2,140 students and a faculty of 140 teachers. The high school, middle school and manor school of this system are all located in Honeoye Falls. *Id*.

Honeoye Falls boasts at least 70 local businesses and 16 local industries. See Exhibit 4. In its downtown are located "drug stores, dry cleaning establishments, a variety store, furniture stores, auto parts distributors, a gardening outlet, a hobby shop, a lumber yard, automobile agencies, and a supermarket." See Exhibit 3. Also within the village are gift shops, beauty parlors, florists, lawyers, doctors, dentists, insurance agencies, optometrists and veterinarians. Id. Although no firm employment statistics are available, it appears many of Honeoye Falls' residents work in these businesses and industries.

Nor are the residents of Honeoye Falls dependent on Rochester in their private arrangements. Of the number of churches in town, four have been established since 1869. See id. Eleven civic organizations call Honeoye Falls home, including a Fortnightly, Historical Society, Literary Club, chapters of the American Legion, Rotary, and Masons, as well as the Boy and Girl Scouts. Honeoye Falls also has its own Chamber of Commerce. See id.

Finally, Honeoye Falls maintains a number of its own recreation areas, despite the nearby facilities of Mendon, ranging from a school playground to a full-scale park in the center of the community. See id. It also has its own museum, in which Native American and pioneer artifacts from the region are displayed. Honeoye Falls' historical section has been placed on the National

Register of Historic Places, and its classic homes and original structures attract a number of tourists each year. And of course, Honeoye Falls has its own radio broadcast station, WRCD(FM), and would continue to have a radio station under the Proposal.

A finding that a proposed community is distinct from a nearby city may be a relevant consideration in determining changes in the Table of Allotments. See Faye and Richard Tuck, Inc., 3 FCC Rcd at 5377-78 (¶ 28). Because, in this case, Honeoye Falls, as a physically distant community, is not dependent on Rochester for its government, its schools, its retail services, its recreation, or its radio service, Honeoye Falls should continue to be recognized as a distinct community that merits a more substantial broadcast outlet than smaller communities elsewhere in western New York.

# B. The Proposed Assignment of Channel 236B to Honeoye Falls Also Will Provide More Efficient Broadcast Service.

In addition to the equitable arguments in favor of the Proposal, it undoubtedly offers more efficient use of the channels employed by WRCD and WNVE. As noted in the Petition's Technical Exhibit, the Proposed Reallotment would enable WRCD and WNVE to serve a total of 208,565 more persons than presently receive either station. The net gain is more than 25 percent of the current population served by WNVE at its present allotment. This substantial increase in total service provided would be achieved without depriving either Honeoye Falls or

South Bristol Township of its lone transmission facility, and without creating a single underserved area. See Notice at ¶ 4.

That this service happens to encompass the Rochester Urbanized Area, see Notice at ¶ 4, is no reason to deny additional broadcast service to more than 200,000 people. In fact, the Commission implicitly endorsed such an additional service to the Rochester area by permitting changes to the facilities of what is now WNVE(FM) in order to extend that station's signal to Rochester. 6/2 Moreover, after WNVE(FM) had to return its facilities to a prior site because operation from its new site -- from which it could reach Rochester -- created unacceptable interference, the Commission even waived its rules to enable WNVE(FM) to use a translator in Rochester to extend its signal to more of that Urbanized Area. See id. at 20-21. That the Commission previously has permitted WNVE to change its current facilities and, subsequently, to obtain a Rochester-based translator in order to serve the Rochester Urbanized Area demonstrates that the Proposal, which would enable WNVE to serve Rochester directly (without the need of a translator and its additional use of spectrum) is consistent with the public interest.

Moreover, the above circumstances confirm that the current Proposal is a more efficient use of spectrum than the existing allotments. Under the existing allotments, the Commission needed to grant WNVE a translator (with its associated

<sup>6/</sup> See Letter regarding WRQI(FM), South Bristol Township, New York, FCC File No. BLH-900314KC, at n. 25 (MMB, dated July 14, 1994) ("WRQI Letter") (attached as Exhibit 5). At that time, WNVE(FM) used a different call sign -- WRQI(FM) -- and was owned by a different licensee.

additional frequency) in order to serve Rochester. See id. at n.25. Under the Proposed Reallotment, however, WNVE now would be able to reach its listeners in the immediate vicinity of Rochester without using an additional frequency. That the Proposal thus would restore WNVE's ability to serve residents of Rochester directly -- an ability lost in 1994 despite the station's prolonged and largely successful efforts to eliminate 139 interference complaints brought against the station's operations at that time, see id. at 2 -- offers another equitable reason to adopt the Proposed Reallotment.

In a number of precedent, the Commission has established that "the substitution of an existing station's channel at one community serves the public interest where the substitution permits the provision of a new or expanded service at another community." Coleman Order at ¶ 5 (citing Marietta, Ohio, and Ravenswood, WV, 2 FCC Rcd 4681 (Allocations Branch 1987)). In this instance, the Proposal would increase service to more than 200,000 persons merely by exchanging the allotment for South Bristol Township with the allotment at Honeoye Falls. The substantial net gain in service enabled by the Proposal without loss of existing local transmission service and without significant loss of service to any underserved population in western New York makes clear that the Proposal should be adopted as a more efficient arrangement of the FM Table of Allotments.

II. CONCLUSION

As noted in the initial Petition for Rule Making, and in the attached

declaration, Citicasters is prepared to apply for the channels requested, if allotted,

and, if authorized, to construct or modify the facilities necessary. For the foregoing

reasons, the Commission should grant the Petition as soon as possible.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

By: F- Milin low

F. William LeBeau

Attorneys for Citicasters Co.

Dated: March 23, 1998

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HOGAN & HARTSON DC4 6:36PM

No. 1907 P. 19/19

### DECLARATION

On behalf of Citicasters Co., I, Alan Bishop

hereby declare under penalty of perjury that the facts set forth in the foregoing are true and correct to the best of my personal knowledge, information and belief.

Name: Alan Bishop

Title: WNVE/WMAX-FM (WRCD)
General Manager

### **DECLARATION**

On behalf of Citicasters Co., I, R. Christopher Weber, hereby declare under penalty of perjury that Citicasters would apply for the channel(s) proposed to be allotted by the *Notice of Proposed Rule Making* in MM-Docket No. 98-8 and, if authorized, to construct or modify the facilities necessary to operate a radio service on each channel promptly.

R. Christopher Weber

Senior Vice President of Citicasters Co.

# **EXHIBIT 1**

# 1990 Census of Population and Housing Population and Housing Unit Counts New York

Issued April 1993



U.S. Department of Commerce Ronald H. Brown, Secretary John Rollwagen, Deputy Secretary

Economics and Statistics Administration Jeffrey Mayer, Acting Under Secretary for Economic Affairs

BUREAU OF THE CENSUS Harry A. Scarr, Acting Director

NEW YORK

(For information concerning historical counts, see "User Notes." Density is computed using land area. For definitions of terms and meanings of symbols, see text)

(for information concerning historical counts, see "User Notes		. Density is comp	Population	J. 101 GE1111		lousing units			1990 area m	neasurements			1990	density		
Place and [in Selected States]								Total a	rea	Land are	ta .	Population	per —	Housing units	nits per —	
	County Subdivision	1990	1980	1970	1990	1980	1970	Square kilometers	Square miles	Square kilometers	Square miles	Square kilometer	Square mile	Square kilometer	Square mile	
	Hermon village, St. Lowrence County	407 1 041 4 097 140 771 6 620 440 1 193 547 40 174	490 1 083 8 123 170 777 6 986 489 1 331 472 43 245	521 1 067 9 112 137 770 6 796 586 1 512 529 49 820	173 549 1 419 56 305 2 534 149 444 185 13 395	184 509 2 519 58 320 2 543 141 433 151 13 452	173 427 2 456 47 279 2 236 172 417 147 12 878	1.0 140.4 1.4 .9 2.2 2.3 1.0 2.1 .6 17.7	54.2 .6 .3 .9 .9 .4 .8 .2 6.8	1.0 138.4 1.4 .7 2.0 2.3 .9 1.9 .6 17.6	.4 53.4 .6 .3 .8 .9 .4 .7 .2 6.8	407.0 7.5 2 926.4 200.0 385.5 2 878.3 488.9 627.9 911.7 2 282.6	1 017.5 19.5 6 828.3 466.7 963.8 7 355.6 1 100.0 1 704.3 2 735.0 5 907.9	173 0 4 0 1 013 6 80 0 152 5 1 101.7 165 6 233.7 308.3 761.1	432.5 10.3 2 365.0 186.7 381.3 2 815.6 372.5 634.3 925.0 1 969.9	
	Highland town, Sullivan Caunty Highland CDP, Ulster County Highland Falls village, Orange County Highland Mills CDP, Orange County Highland Sown, Orange County Hillburn village, Rockland County Hillburn village, Rockland County Hillsdale town, Columbia County Hillsdale town, Columbia County Hillsdale town, Columbia County Hillsdale Loke CDP, Dutchess County Hillsdale Loke CDP, Dutchess County	2 147 4 492 3 937 2 576 13 667 892 6 447 1 793 1 692 5 216	1 878 3 967 4 187 2 034 14 004 926 5 733 1 648 1 382 4 151	1 377 2 184 4 638 3 14 661 1 058 5 357 1 447 2 440	1 521 1 747 1 708 950 3 569 305 1 880 1 103 570 1 857	1 271 1 436 1 647 743 3 471 318 1 809 936 453 1 333	992 758 1 545 1 3 258 319 1 459 676	133.9 12.9 2.9 4.5 86.7 5.8 3.3 123.7 4.0	51.7 5.0 1.1 1.7 33.5 2.2 1.3 47.8 1.6	129.5 12.0 2.9 4.5 80.0 5.8 3.3 123.4 3.9	50.0 4.6 1.1 1.7 30.9 2.2 1.3 47.6 1.5	16.6 374.3 1 357.6 572.4 170.8 153.8 1 953.6 14.5 433.8 1 272.2	42.9 976.5 3 579.1 1 515.3 442.3 405.5 4 959.2 37.7 1 128.0 3 260.0	11.7 145.6 589.0 211.1 44.6 52.6 569.7 8.9 146.2 452.9	30 4 379 8 1 552 7 558 8 115 5 138 6 1 446 2 23 2 380 0	
	Hinsdole town, Cattaraugus County Hobart village, Delaware County Hobrook CDP, Suffolk County Holand CDP, Eric County Holland CDP, Frie County Holland town, Eric County Holland Petent village, Oneida County Holland Petent village, Oneida County Holland Potent County	2 095 385 25 273 790 1 288 3 572 411 1 890 14 972 3 476	2 182 473 24 382 952 1 347 3 446 534 1 882 13 515 3 635	1 781 531  778  3 140 556 1 868	937 191 7 630 314 508 1 343 188 802 4 532 1 379	913 202 6 941 339 502 1 231 222 765 3 893 1 350	543 194 224  977 195 686	100.4 1.3 17.7 2.3 9.2.5 1.3 3.2 18.0 4.3	38.8 .5 .6.8 .9 .3.6 .35.7 .5 .1.3 .7.0 .1.6	100.4 1.3 17.7 2.3 9.2 92.4 1.2 3.2 18.0 4.3	38.8 .5 6.8 .9 3.6 35.7 .5 1.3 7.0	20 9 296 2 1 427 9 343 5 140 0 38 7 342 5 590 6 831 8 808 4	54 0 770.0 3 716.6 877.8 357.8 100.1 822.0 1 453.8 2 138.9 2 172.5	9 3 146 9 431 1 136 5 55 2 14 5 156 7 250 6 251 8 320 7	24   382 0 1 122 1 348 9 141 1 37 6 376 616 9 647 4 861 9	
۲.	Homer town, Cortland County Honeoye Falls village, Monroe County Hoosick town, Rensselaer County Hoosick Falls village, Rensselaer County Hope town, Homitton County Hopewell town, Ontorio County Hopewell Junction CDP, Durchess County Hopkinton town, St. Lowrence County Horizon town, Warren County Hornby town, Steuben County	6 508 2 340 6 696 3 490 358 3 016 1 786 957 1 269 1 655	6 599 2 410 6 732 3 609 311 2 509 1 754 1 064 1 082 1 786	6 480 2 248 6 651 3 897 269 2 347 2 055 884 890 1 377	2 465 1 017 2 778 1 490 327 1 070 675 689 1 664 611	2 345 949 2 490 1 375 259 842 612 534 1 159 599	2 090 745 2 152 1 319 226 654 676 580 846 427	131.2 6.7 163.6 4.5 107.8 92.4 7.3 484.4 186.0 105.9	50.7 2.6 63.2 1.7 41.6 35.7 2.8 187.0 71.8 40.9	130.5 6.7 163.3 4.5 105.5 92.3 7.3 480.2 171.1 105.9	50.4 2.6 63.0 1.7 40.7 35.6 2.8 185.4 66.1 40.9	49.9 349.3 41.0 775.6 3.4 32.7 244.7 2.0 7.4 15.6	129 1 900 0 106 3 2 052 9 8.8 84 7 637.9 5 2 19 2 40 5	18 9 151 8 17 0 331 : 3 1 11 6 92 5 1 4 9 7 5 8	48 9 391 2 44 1 846 8 8 0 30 1 241 1 75 2 14 9	
	Hornell city, Steuben County Horseheads village, Chemung County Horseheads village, Chemung County Horseheads North CDP, Chemung County Househeads North CDP, Chemung County Househead North CDP, Chemung County Hounsfield town, Jefferson County Howard town, Steuben County Hudson city, Calumbia County Hudson city, Calumbia County Hudson Folia village, Washington County	9 877 4 149 6 802 19 926 3 003 1 740 3 089 1 331 8 034 7 651	10 234 4 066 7 348 20 238 3 081 1 604 2 645 1 236 7 986 7 419	12 144 3 993 7 989 20 552 2 753 1 620 2 771 1 029 8 940 7 917	4 148 1 735 2 950 8 038 1 078 275 3 607 632 3 496 3 159	4 193 1 653 2 866 7 621 1 029 258 3 323 578 3 474 2 802	4 356 1 333 2 601 6 407 (NA) 295 1 265 399 3 261 2 525	6.7 113.4 10.0 93.0 6.0 6.4 311.9 157.3 6.0 4.9	2.6 43.8 3.9 35.9 2.3 2.5 120.4 60.7 2.3 1.9	6.7 113.0 10.0 92.9 6.0 6.3 127.6 157.1 5.6 4.8	2.6 43.6 3.9 35.9 2.3 2.4 49.3 60.6 2.2	1 474.2 36.7 680 2 214.5 500.5 276.2 24.2 8.5 1 434.6 1 594.0	3 798.8 95.2 1 744.1 555.0 1 305.7 725.0 62.7 22.0 3 651.8 4 026.8	619 1 15 4 295 0 86 5 179 7 43 7 12 6 4 0 624 3 658 1	595 4 39 8 756 4 223 9 468 7 114 6 32 6 10 4 1 589 1	
	Hume town, Allegarry County Humphrey town, Cattorougus County Hunter village, Greene County Hunter town, Greene County Huntington CDP, Suffolk County Huntington town, Suffolk County Huntington Station CDP, Suffolk County Hurtery CDP, Ulster County Hurley CDP, Ulster County	1 970 580 429 2 116 18 243 191 474 1 521 28 247 4 644 6 741	2 040 529 511 2 252 21 727 201 512 1 783 28 769 4 892 6 992	1 838 405 238 1 742 12 601 200 172 1 789 28 817 4 081 6 496	835 327 682 3 040 7 013 64 842 542 9 968 1 733 2 803	828 317 580 2 525 7 739 61 585 549 9 663 1 668 2 651	633 194 231 1 509 4 184 53 929 514 8 316 1 190 2 143	99.3 94.8 4.2 235.0 19.9 355.1 6.5 14.1 14.1 93.2	38.4 36.6 1.6 90.7 7.7 137.1 2.5 5.4 5.4 36.0	98.3 94.7 4.1 1234.4 19.5 243.4 2.7 14.1 14.0 77.6	37.9 36.6 1.6 90.5 7.5 94.0 1.0 5.4 5.4 29.9	20 0 6.1 104.6 9.0 935.5 786.7 563.3 2 003.3 331.7 86.9	52 0 15 8 268 1 23 4 2 432 4 2 037 0 1 521 0 5 230 9 860.0 225 5	8 5 3 5 166 3 13 0 359 6 266 4 200 7 707 0 123 8 36 1	77 0 8 9 426 3 33 6 935 1 689 8 542 0 1 845 9 320 9 93.7	
	Huron town, Wayne County Hyde Park town, Dutchess County Ilion village, Herkimer County Indigen Herkimer County Indigen Lake town, Hamilton County Indigen Lake town, Hamilton County Intertown, Hamilton County Intertoken village, Seneca County Introden Very Nessau County Ira town, Cayuga County Ira town, Cayuga County	2 025 21 230 8 888 1 026 1 481 343 680 7 767 1 990 52 377	1 820 20 768 9 450 1 138 1 410 320 685 8 228 1 869 57 648	7 739 16 910 9 808 1 031 1 290 287 733 8 433 1 720 64 897	1 471 7 473 3 586 447 1 870 839 273 2 849 707 22 177	1 395 6 782 3 585 430 1 518 829 276 2 912 592 21 904	1 286 4 996 3 432 357 1 017 399 289 2 653 501 20 528	111.9 103.2 6.5 89.3 688.7 172.0 7 5.6 90.5	43 2 39.9 2.5 34.5 265.9 66.4 3 2.2 34.9 16.9	102.3 95.7 6.4 89.3 654.0 161.3 .7 4.3 90.2 39.5	39 5 37 0 2 5 34 5 252 5 62 3 1 6 34 8 15 3	19 8 221.8 1 388.8 11.5 2 3 2 1 971.4 1 806.3 22.1 1 326.0	51 3 573 8 3 555 2 29 7 5 9 5 5 2 266 7 4 854 4 57 2 3 423 3	14 4 78 1 560 3 5 0 2 9 5 2 390 0 662 6 7.8 561 4	37 2 202 0 1 434 4 13 0 7 4 13 5 910 0 1 780 6 20 3 1 449 5	

POPULATION AND HOUSING UNIT COUNTS

Table 9. Population and Housing Units, 1970 to 1990; Area Measurements and Density: 1990—Con.

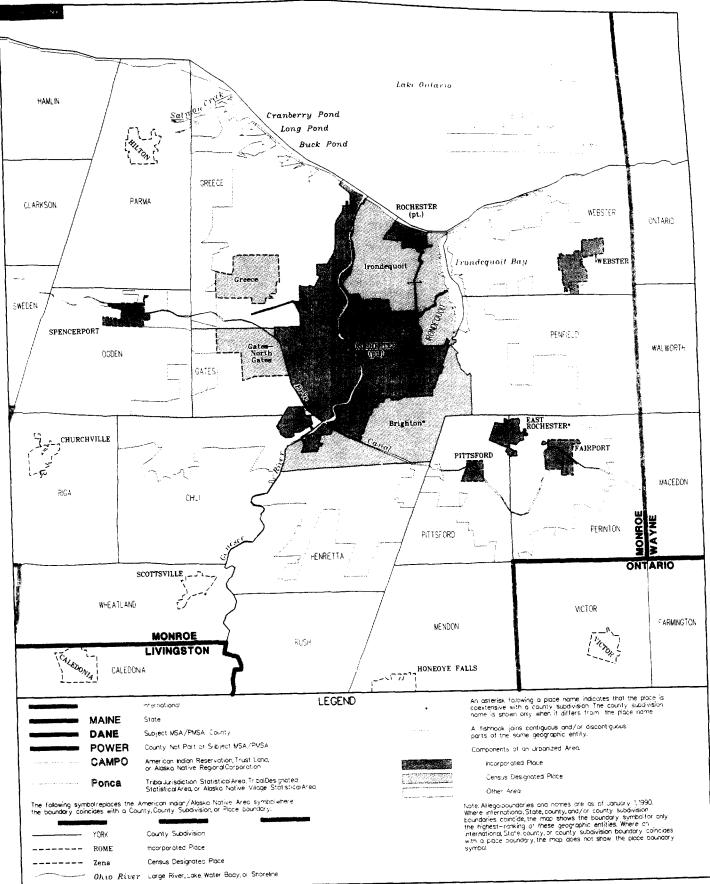
[For information concerning historical counts, see "User Notes." Density is computed using land area. For definitions of terms and meanings of symbols, see text]

		Population	1	!	Housing units			1990 area n	neasurements			1990 density		
Place and [in Selected States] County Subdivision					.070	Total a		Land a		Population Square kilometer	per — Square mile	Housing unit	Square mile	
	1990	1980	1970	1990	1980	1970	Square kilometers	Square miles	Square kilometers	Square miles	ļ ————		5quare kilometer	16.3
Sherman town, Chautauqua County Sherriit city, Oneida County Shinnecock Hills CDP, Suffalk County Shinnecock Reservation, Suffalk County Shintey CDP, Suffalk County Shoretwan village, Suffalk County Shortsville village, Ontario County Slortsville village, Delaware County	1 505 2 864 2 847 375 22 936 540 1 485 4 720	1 490 2 830 2 344 297 18 072 555 1 669 4 861	1 428 2 986 174 6 157 524 1 516 4 789	592 1 126 2 261 173 7 021 204 565 2 038	586 1 050 2 011 104 5 632 189 594 2 000	509 932 71 2 550 158 482 1 779	94.3 5.1 17.5 3.4 29.1 1.2 1.5 6.1	36.4 2.0 6.8 1.3 11.2 .4 .6	94.0 5.1 15.8 3.4 28.2 1.2 1.5 6.1	36.3 2.0 6.1 1.3 10.9 4 .6 2.4 51.2	16 0 561.6 180.2 110.3 813.3 450.0 990.0 773.8	41.5 432.0 466.7 288.5 2 104.2 1 350.0 2 475.0 1 966.7 130.2	0.3 220 8 143.1 50 9 249 0 170 0 376.7 334.1 22 6	563 0 370 7 133 1 644 1 510 0 941 7 849 2 58 5
Sidney town, Delaware County Silver Creek village, Chautauqua County	6 667 2 927	6 856 3 088	6 984 3 182	2 995 1 294	2 797 1 264	2 485 1 237	133.6 3.0	51.6 1.2	132.6 2.9	1.1	1 009.3	2 660.9	446 2	1 176 4
Silver Springs village, Wyoming County Sinclairville village, Chautauqua County Skaneateles village, Orondaga County Skaneateles town, Onondaga County Sloot village, Erie County Slootsburg village, Rockland County Smithfield town, Madison County Smithtown COP, Suffalk County Smithtown town, Suffalk County Smithtown town, Suffalk County	852 708 2 724 7 526 3 830 3 035 1 053 25 638 113 406	801 772 2 789 7 795 4 529 3 154 1 001 30 906 116 663 1 174	823 772 3 055 7 825 5 216 3 134 864  114 657 956	340 295 1 223 3 179 1 700 1 042 380 8 360 36 828 574	320 276 1 102 3 083 1 772 1 014 316 8 739 32 781 433	291 244 1 031 2 713 1 687 918 235  27 944 362	2.5 4.2 4.2 126.3 6.7 63.0 31.8 157.8 131.9	1.0 1.6 1.6 48.8 2.6 24.3 12.3 60.9 50.9	2.5 4.2 3.5 110.5 2.1 6.6 63.0 30.6 138.8 130.9	.9 1.6 1.3 42.7 8 2.5 24.3 11.8 53.6 50.5	340 8 168 6 778 3 68 1 9 823 8 459 8 16 7 837 8 817.0	946.7 442.5 2 095.4 176.3 4 787.5 1 214.0 43.3 2 172.7 2 115.8 23.1	136 0 70 2 349 4 28 8 809 5 157 9 6 0 273 2 265 3 4 4	377 8 184 4 940 8 74 4 7 125 0 416 8 708 5 687 1
Smyrna village, Chenango County Smyrna town, Chenango County Sodus village, Woyne County Sodus Point Wayne County Sodus Point village, Wayne County Solon town, Cortland County Solon town, Cortland County Solony village, Onandago County Somerset fown, Westchester County Somerset fown, Misagra County	211 1 265 1 904 8 877 1 190 1 008 6 717 16 216 2 655 9 102	225 1 142 1 790 9 485 1 334 865 7 140 13 133 2 701 8 071	247 1 106 1 813 8 754 1 172 687 8 280 9 402 2 677	80 475 775 3 957 777 348 3 115 6 240 1 056 3 575	87 389 700 4 017 858 279 2 994 4 517 1 018 3 315	80 325 667 3 335 666 197 2 892 2 947 927	109.2 2.4 179.7 3.9 77.0 4.3 83.6 96.5 6.9	2 42.2 9 69.4 1.5 29.7 1.6 32.3 37.2 2.7	.6 109.1 2.4 174.6 3.9 77.8 96.3	2 42.1 9 67.4 1.5 29.7 1.6 30.0 37.2 2.7	351 7 11 6 793 3 50 8 305 1 13 1 1 562 1 208 4 27 6	1 055 0 30 0 2 115 6 131.7 793 3 33.9 4 198 1 540.5 71 4 3 371 1	133 3 4 4 322 9 22 7 199 2 4 5 724 4 80 2 11 0	400 0 11 3 861 1 58 7 518 0 11 7 1 946 9 208 0 28 4
Sound Beach CDP, Suffalk County  Southampton village, Suffalk County Southampton town, Suffalk County Southampton CDP, Suffalk County South Bristol town, Ontario County South Corning village, Steuben County South Corning village, Cettacraugus County South Farming village, Cettacraugus County South Fallsburg CDP, Sullivan County South Farmingdale CDP, Nassau County South Farmingdale CDP, Nassau County	3 980 44 976 1 302 1 663 1 025 601 14 927 2 115 15 377 1 478	4 000 42 849 1 331 1 205 1 195 661 11 416 2 196 16 439 1 490	4 904 35 980  794 1 414 688 9 901 1 590 20 464 1 032	2 980 33 622 685 1 111 437 245 5 709 1 335 4 970 462	2 542 28 362 656 953 472 241 4 066 1 861 4 695 452	2 398 21 066  576 468 233 3 250 2 236 4 988 277	17.5 637.5 8.8 108.9 1.6 2.6 90.6 15.9 5.6	68 2461 3.4 421 6 10 350 61 22	16.4 359.7 8.8 101.2 1.6 2.6 83.0 15.5 5.6	63 138.9 3.4 39.1 6 1.0 32.1 6.0 2.2	242 7 125 0 148 0 16 4 640 6 231 2 179 8 136 5 2 745 9 4 926 7	631.7 323.8 382.9 42.5 1 708.3 601.0 465.0 352.5 6 989.5 14 780.0	181 7 93 5 77 8 11 0 273 1 94 2 68 8 86 1 887 5 1 540 0	473 0 742 1 701 5 28 4 728 3 745 0 177 9 222 5 2 259 1 4 620 0
South Glens Falls village, Saratoga Country South Hempstead CDP, Nassau Country South Hill CDP, Tompkins Country South Huntington CDP, Suffalk Country South Lockyort CDP, Nasgara Country South Myack village, Rackland Country Southold CDP, Suffalk Country Southold Country Southold Town, Suffalk Country Southoport CDP, Chemung Country Southoport CDP, Chemung Country	3 506 3 014 5 423 9 624 7 112 3 352 5 192 19 836 7 753 11 571	3 714 5 276 14 854 3 366 3 602 4 770 19 172 8 329 11 586	4 013  9 115 1 341 3 435 2 030 16 804 8 685 11 976	1 539 1 042 931 3 297 2 842 1 195 3 539 12 979 3 233 4 324	1 511  860 4 607 1 132 1 285 2 871 11 130 3 281 4 346	1 327  2 504 380 1 099 863 8 740 2 989 3 940	3 9 1.5 15.5 8.7 14.9 4.4 29.3 578.1 14.5 121.3	1.5 6.0 3.4 5.8 1.7 11.3 223.2 5.6 46.8	3.5 1.5 15.3 8.7 14.9 1.6 27.0 139.1 14.2	1 3 6 5 9 3 4 5 7 6 10 4 53 7 5 5 46.5	1 001.7 2 009.3 354.4 1 106.2 477.3 2 095.0 192.3 142.6 546.0 96.0	2 696 9 5 023 3 919 2 2 830 6 1 247 7 5 586 7 499 2 369 4 1 409 6 248 8	439 7 694 7 60 8 379 0 190 7 746 9 131 1 93 3 227 7 35 9	1 183 8 1 736 7 157 8 969 7 498 6 1 991 7 340 3 241 7 587 8 93 0
South Valley town, Cartaraugus County South Valley Stream CDP, Massou County Spackenkill CDP, Dutchess County Sparla town, Onondega County Sparla town, Livingston County Speculator village, Hamilton County Spencer village, Tiaga County Spencer town, Tiaga County Spencer town, Tiaga County Spencer town, Tiaga County Spencer town, Span Spencer County Spencer Town, Span Spencer County Spencer Town, Spencer County Spencer Town Spencer Tow	281 5 328 4 660 1 675 1 578 400 815 2 881 3 606 1 267	212 5 462 4 848 1 596 1 458 408 863 2 633 3 424 1 239	164 6 595 2 725 1 148 1 157 390 854 2 232 2 929 1 136	275 2 049 1 596 1 046 584 474 335 1 175 1 392 701	225 2 907 1 460 1 906 488 456 332 1 924 1 196 534	148 1 948 752 707 356 306 285 725 901 391	96.1 2.2 7.5 101.6 71.9 122.3 2.7 129.2 3.6 117.7	37.1 9 29 39 2 27.7 47.2 1 0 49 9 1.4 45.4	95.7 2.2 7.5 85.0 71.9 115.6 2.7 128.3 3.5 111.3	36.9 2.9 32.8 27.7 44.6 1.0 49.6 1.4 43.0	2.9 2 421 8 621.3 19.7 21.9 3 5 301 9 22.5 1 030 3	7 6 5 920 0 1 606 9 51 1 57 0 9 0 8150 58 1 2 575 7 29.5	2 9 931 4 212 8 12 3 6 1 4 1 124 1 9 2 397.7 6 3	7 5 2 276 7 550 3 31 9 21 1 10 6 335 0 23 7 994 3 16 3
Springport town, Cayuga County  Springs CDP, Suffolk County  Spring Valley village, Rockland County  Springsville village, Eric County  Springsville village, Eric County  Stafford town, Genesse County  Stamford village, Delaware County  Stamford town, Delaware County  Stanford town, Dutchess County  Stanford town, Dutchess County  Stanford Town, Dutchess County	2 198 4 355 21 802 4 310 2 407 2 593 1 211 2 047 3 495 1 028	2 210 3 197 20 537 4 285 2 143 2 506 1 240 2 038 3 319 1 026	1 911 18 112 4 350 1 678 2 461 1 286 2 072 2 479	1 023 3 459 8 116 1 710 999 1 001 631 1 143 1 564 407	960 2 524 8 011 1 559 825 961 577 955 1 314	757 6 342 1 434 543 821 528 765 1 058	69.4 23.9 5.5 9.2 138.1 80.9 3.4 125.6 130.2 7.4	26 8 9 2 2.1 3.6 53.3 31.2 1.3 48.5 50.3 2.8	55. 8 21. 9 5. 4 9. 2 138. 0 80. 6 3. 4 125. 6 129. 5 7. 4	21 5 8 5 2 1 3 5 53 3 31 1 1 3 48 5 50 0 2 8	39.4 198.9 4 037.4 468.5 17.4 32.2 356.2 16.3 27.0 138.9	102 2 512.4 10 381 9 1 231 4 45 2 83.4 931 5 42 2 69 9 367.1	18.3 157 9 1 503 0 185 9 7 2 12.4 185 6 9 1 11.1 55.0	47 6 406 9 3 864 8 488 6 18 7 32 2 485 4 23 6 31 3 145 4

# **EXHIBIT 2**

# Table 23. Population, Housing Units, and Land Area for Urbanized Area: 1990—Con.

				Area measu	rements	ł	_	Densi	ly	
Urbanized Area			Total area	,	Land area		Population per		Housing units per—	
	Population	Housing units	Square kilometers	Square miles	Square kilometers	Square miles	Square kilometer	Square mile	Square kilometer	Square mil
oughhospele, NY—Con. Ister County (pt.)† Lloyd town (pt.)————————————————————————————————————	4 744 4 744 4 492	1 892 1 892 1 747	13.0 13.0 12.9	5.0 5.0 5.0	12.1 12.1 12.0	4.7 4.7 4.6	392.1 392.1 374.3	i 009.4 1 009.4 976.5	156.4 156.4 145.6	402. 402. 379.
echester, MY		1		1						
e oreo	619 653 231 636 231 636 388 017	252 173 101 154 101 154 151 019	591.5 96.0 96.0 495.5	228.4 37.1 37.1 191.3	569.9 92.7 92.7 477.2	220.0 35.8 35.8 184.3	1 087.3 2 498.8 2 498.8 813.1	2 816.6 6 470.3 6 470.3 2 105.4	442.5 1 091.2 1 091.2 316.5	1 146.5 2 825.5 2 825.5 819.
erroe County (pt.)† Srighton town† Brighton CDP Life Itown (pt.) cast Rochester town† East Rochester village†	619 653 34 455 34 455 22 526 6 932 6 932 28 366 14 995	252 173 16 068 16 068 7 839 2 926 2 926 11 051 5 956	591.5 40.5 40.5 33.8 3.5 3.5 12.2	228.4 15.6 15.6 13.0 1.4 1.4 13.6 4.7	569.9 40.1 40.1 33.6 3.5 3.5 34.9 12.1	220.0 15.5 15.5 13.0 1.4 1.4 13.5 4.7	1 087.3 859.2 859.2 670.4 1 980.6 1 980.6 811.8 1 239.3	2 816.6 2 222.9 2 222.9 1 732.8 4 951.4 4 951.4 2 101.2 3 190.4	442.5 400.7 400.7 233.3 836.0 836.0 316.6 492.2	1 146. 1 036. 1 036. 603. 2 090. 2 090. 818. 1 267.
Gates-North Gates CDP Gresce from (pt.); Gresce CDP Henriette from (pt.) Irondequoit form Irondequoit CDP Ogden from (pt.)	87 178 15 632 31 155 52 377 52 322 9 645	33 537 6 116 10 316 22 177 22 151 3 572 1 392	100.0 11.3 46.4 43.7 43.5 17.4 3.6	38.6 4.3 17.9 16.9 16.8 6.7	92.3 11.3 46.2 39.5 39.2 17.1 3.5	35.6 4.3 17.8 15.3 15.1 6.6	944.5 1 383.4 674.4 1 326.0 1 334.7 564.0 1 030.3	2 448.8 3 635.3 1 750.3 3 423.3 3 465.0 1 461.4 2 575.7	363.3 541.2 223.3 561.4 565.1 208.9 397.7	942. 1 422.: 579. 1 449.: 1 467.: 541. 994.:
Spencarport village   Penfield town (pt.)†   Perinton town (pt.)†   Foirport village   Pittsford village   Rochester dity†   Webster town (pt.)	3 606 25 186 39 896 5 943 23 275 1 488 231 636 27 026	9 962 15 023 2 367 8 127 648 101 154 10 421	39.9 48.7 4.2 38.9 1.8 96.0 47.7	15.4 18.8 1.6 15.0 .7 37.1 18.4	38.8 48.0 4.1 38.5 1.7 92.7 44.7	15.0 18.5 1.6 14.9 7 35.8	649.1 831.2 1 449.5 604.5 875.3 2 498.8 604.6	1 679.1 2 156.5 3 714.4 1 562.1 2 125.7 6 470.3 1 562.2 2 483.6	256.8 313.0 577.3 211.1 381.2 1 091.2 233.1 414.4	664.1 812.1 1 479.4 545.4 925.1 2 825.1 602.4 1 073.6
Webster village†	5 464	2 362	5.7	2.2	5.7	2.2	958.6	2 403.0	414.4	1 0/3.
e orea	20 20	6	- - -	- - -	-	-	-	-	=	
estchester County (pt.)†	20 20	6	-	-	-	-	-	-	-	:
racuse, NY		į		1		ł				
he orea	388 918 163 860 163 860 225 958	159 873 71 502 71 502 88 371	360.3 66.4 66.4 293.8	139.1 25.7 25.7 25.7 113.4	346.1 65.0 65.0 281.1	133.6 25.1 25.1 108.5	1 123.7 2 520.9 2 520.9 800.6	2 911.1 6 528.3 6 528.3 2 074.3	461.9 1 100.0 1 100.0 314.4	1 196.7 2 848.7 2 848.7 814.5
nondage County (pt.)† Comillus Vollege Foirmount Off (pt.) Grant town (pt.) Grant town (pt.)	386 357 20 863 1 150 10 922 17 742	158 807 8 216 503 4 296 6 479	356.4 21.9 1.0 8.2 28.4	137.6 8.5 .4 3.2 11.0	342.7 21.9 1.0 8.2 28.4 2.2	132.3 8.5 .4 3.2 11.0	1 127.4 952.6 3 150.0 1 332.0 624.7 936.8	2 920.3 2 454.5 2 875.0 3 413.1 1 612.9 2 290.0	463.4 375.2 503.0 523.9 228.1 380.5	1 200 4 966.6 1 257.5 1 342.5 589.0
North Syracuse village (pt.) † Clay town (pt.) ————————————————————————————————————	2 061 55 355 5 302 22 558 8 244 3 343	837 20 496 2 241 9 025 2 885 1 489 216	2.2 39.3 2.8 48.6 8.1 4.1	15.2 1.1 16.6 3.1 1.6	38.9 2.8 48.5 8.1 4.1	15.0 1.1 18.7 3.1 1.6	1 423.0 1 893.6 465.1 1 017.8 815.4 1 036.0	3 690.3 4 820.0 1 206.3 2 659.4 2 089.4 2 590.0	380.5 526.9 800.4 186.1 356.2 363.2 432.0	3 366.4 2 037.3 482.6 930.6 930.6 1 080.0
Lyncourt CDP (pt.)  Lyndon CDP (pt.)  Geddes town  Foirmount CDP (pt.)  Solvey village  Westvoid CDP	518 2 737 17 677 1 344 6 717 5 952	1 060 7 164 486 3 115 2 209	8.0 31.6 1.3 4.3 4.2	3.1 12.2 .5 1.6 1.6	7.9 23.9 1.3 4.3 4.2	3.1 9.2 .5 1.6	346.5 739.6 1 033.6 1 562.1 1 417.1	882.9 1 921.4 2 688.0 4 198.1 3 720.0	134 2 299 7 375 4 724 4 526 0 170 0	341.9 778.7 976.0 1 946.9 1 380.6
Lofsyste toun (pt.)† Lysonder form (pt.) Buddwinsells village (pt.) Acordias town (pt.) Gaystowids village	253 7 869 4 134 24 529 4 248	102 2 973 1 611 9 781	.6 9.5 4.7 34.9 4.4	.2 3.7 1.8 13.5 1.7 1.4	.6 9.2 4.5 34.9 4.4	3.5 1.7 13.5 1.7	421.7 855.3 918.7 702.8 965.5	1 265.0 2 248.3 2 431.8 1 817.0 2 498.8 1 325.7	323 2 358.0 280.3 418.2 208.6	510 0 849 4 947 6 724 5 1 082 4 536 4
Lyndon CDF (pt.) Lyndon CDF (pt.) Meelius villager! Onondage town (pt.)	1 856 4 764 3 745 10 480	1 840 751 2 027 1 320 4 024	3.6 4.4 3.2 22.3	1.4 1.7 1.2 8.6	3.6 4.4 3.2 22.2	1.4 1.7 1.2 8.6	515.6 1 082.7 1 170.3 472.1	2 802.4 3 120.8 1 218.6	208 6 460.7 412.5 181.3	1 192 4 1 100 6 467.5



U.S. DEPARTMENT OF COMMERCE Economics and Statistics Administration Bureau of the Census MAPS

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# **EXHIBIT 3**